

IN THE LAHORE HIGH COURT, LAHORE.

Before ZAFARULLAH KHAN KHAKWANI, J

2914 LHC 46676

CrI. Misc. No.8759-B/2014

ADNAN MASIH Petitioner

Versus

THE STATE ETC. Respondents

POLICE STATION : Township, District Lahore.
FIR No.675/2013 Dated 09.10.2013

OFFENCE : Under Sections 295-A,295-B,295-C PPC

PETITION : Under Section 497 Cr.P.C. for grant of bail
after arrest.

DECISION : Bail Petition dismissed on 06.08.2014

06.08.2014 Mr. Sharafat Kasim Gill, Advocate for the petitioner.
Rana Muhammad Shafiq, Deputy Prosecutor General
with Mukhtar, A.S.I. with record.
Ch. Ishtiaq Ahmad, Advocate for the complainant.

Adnan Masih petitioner seeks post arrest bail in case
FIR No.675.....

497
2014 LHC 4676

15

Form No. ICJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT LAHORE
JUDICIAL DEPARTMENT

Case No:

Cr. Misc. No. 8759-B of 2014

Adnan Masih

Versus

The State etc.

No. of order/ proceeding	Date of order / Proceeding	Order with signature of Judge, and that of parties of counsel, where necessary.
-----------------------------	-------------------------------	--

6.8.2014

Mr. Sharafat Kasim Gill, Advocate for the petitioner.
Rana Muhammad Shafiq, Deputy Prosecutor General with
Mukhtar, A.S.I. with record.
Ch. Ishtiaq Ahmad, Advocate for the complainant.

Adnan Masih petitioner seeks post arrest bail in case
F.I.R. No. 675 dated 9.10.2013 under Sections 295-A/295-B
and 295-C P.P.C. registered at Police Station Township,
Lahore.

2. As per contents of the crime report the precise allegation
against the petitioner is that he made some endorsement in the
personal book of the complainant with pencil on different pages
while indicating and using abusive language with the words of
Muslims and the Holy Prophet (P.B.U.H.). Hence this case.

3. Learned counsel for the petitioner while reiterating his
arguments narrated in the bail petition vehemently argued the
case and prayed for grant of post arrest bail.

4. Conversely, the learned Deputy Prosecutor General
assisted by learned counsel for the complainant opposed this
petition and maintained that the petitioner is not entitled for the
relief of bail as he has committed a heinous offence.

Section
Lahore

196
P/...
deputy

5. Arguments pro and contra have been heard at length and record perused with full care and caution.

6. As per prosecution story the petitioner was lastly seen by the complainant and the witnesses studying personal book of the complainant on 7.10.2013 and on the very next day when the complainant opened his book he found many endorsements and over-writings made with pencil in very derogative language against the Holy Prophet (P.B.U.H.) on different pages of the book. Version of the prosecution was subsequently strengthened with the report of the hand writing expert dated 11.6.2014 which in unequivocal terms declared that the sample hand writing of the petitioner matches with the alleged hand writing of the petitioner in the book on the pages in question. It has also come on record that the matter being of very sensitive and delicate nature was very carefully investigated by a high ranking police officer who after detailed and thorough investigation found the petitioner involved in this case. The objection of the learned counsel for the petitioner regarding violation of Section 196 Cr.P.C is of no avail to the petitioner on two counts: First because the direction contained in Section 196 Cr.P.C. is relatable only to the cognizance of offences by the Court which surely cannot be used as hurdle/bar for registration of case by the police under Section 154 Cr.P.C. in cognizable offence on the complaint of any private person. Secondly as per information supplied by the learned Deputy Prosecutor General said permission as required under Section 196 Cr.P.C. has already been accorded by the competent authority for initiation of prosecution of the case. Presently sufficient incriminating material is available on record to

9

GA
(7AF

AP LOVED FOR REPORTING
Sd/- Zafarullah Khan Khattak
JUDGE

1908

10442

accy. 8759/My
COPY

Application 21/8/44

Examiner
Only Agency Section

[illegible]

Continued Copy Supply Section

Registered Under British
 Patents & Trade Marks
 1891

CCF:

28/8/19

PTC